

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Frederic FORTIN et al.)	Group Art Unit: 3733
Application No.: 10/524,174)	Examiner: Fisher, Elana Beth
Filed: March 3, 2006)	Confirmation No.: 2469
For: DISTRACTION AND DAMPING)	
SYSTEM WHICH CAN BE)	
ADJUSTED AS THE VERTICAL)	
COLUMN GROWS)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the listed documents on the attached PTO SB/08 Form. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114 for the above-referenced application.

Copies of the listed foreign document and non-patent literature are submitted herewith.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following is a concise statement of relevance of the non-English language documents:

1. FR 2692952 A1: This document was cited in an Office Action in corresponding European Patent Application No. 03778377.6. FR 2692952 is also believed to be related to U.S. Patent No. 5,375,823, which was previously cited in the instant application by the Examiner on December 22, 2008.

2. Office Action issued in European Patent Application No. 03778377.6, dated July 30, 2009 (French): An English translation of this document is submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

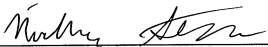
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 24, 2009

By: 

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